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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 RONALD PELAEZ,)
17 Defendant.)

No. CR 11-0154 MMC

**STIPULATION AND [PROPOSED]
ORDER CHANGING HEARING DATE
AND EXCLUDING TIME**

18
19 The Court has set January 25, 2012, as the date for a change of plea in this matter for this
20 defendant. Unlike his co-defendants, who plead guilty without a plea agreement, the defendant
21 Ronald Pelaez and the government intend to enter into a plea agreement.

22 The parties have reached agreement in principal about the terms, but the government
23 requires additional time to finalize the plea materials. Thus, the parties request that the date for
24 the change of plea hearing be moved from January 25, 2012, to February 29, 2012, at 2:30 p.m.
25 The government will lodge a copy of the agreement for the Court's review prior to the hearing.

26 The parties also request that the Court exclude the time from January 25, 2012, to
27 February 29, 2012, from calculation of the time limits provided by 18 U.S.C. § 3161, on the
28

1 basis of effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agree
2 that the ends of justice served by granting such an exclusion of time outweigh the best interests
3 of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).
4

5 SO STIPULATED:

6 MELINDA HAAG
7 United States Attorney

8 DATED: January 25, 2012

9 /s/
10 KEVIN J. BARRY
Assistant United States Attorney

11 DATED: January 25, 2012

12 /s/
13 JAMES PHILLIP VAUGHNS
Attorney for RONALD PELAEZ

14 ~~PROPOSED~~ ORDER

15 For the reasons stated above, the Court finds that moving the date for a change of plea for
16 defendant Ronald Pelaez is warranted, and the January 25, 2012 change of plea hearing for this
17 defendant is moved to February 29, 2012, at ^{2:15}~~2:30~~ p.m. The Court also finds that exclusion of the
18 period from the date of this Order to February 22, 2012, from the time limits applicable under 18
19 U.S.C. § 3161 is warranted and that the failure to grant the requested exclusion of time would
20 deny counsel for the defendant and for the government the reasonable time necessary for
21 effective preparation, taking into account the exercise of due diligence, and would result in a
22 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(iv).

23 IT IS SO ORDERED.

24 DATED: January 25, 2012

25 
26 THE HONORABLE MAXINE M. CHESNEY
United States District Judge